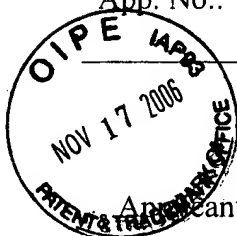


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**TERMINAL DISCLAIMER UNDER 37 CFR § 1.321**

Applicant : Fangrow et al.
App. No : 09/879,364
Filed : June 12, 2001
For : MEDICAL VALVE WITH POSITIVE
FLOW CHARACTERISTICS
Examiner : Bhisma Mehta
Art Unit : 3767

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Disclaimer by Assignee

Assignee, ICU Medical ("Assignee"), hereby disclaims, except as provided below, the terminal part of any patent granted on the above-referenced application which would extend beyond the expiration date of the full statutory term of U.S. Patent Nos. 6,428,520, 6,245,048, and 6,932,795 and any patent issuing from U.S. Patent Application No. 10/217,213, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the above-identified application, U.S. Patent Nos. 6,428,520, 6,245,048, and 6,932,795 and U.S. Patent Application No. 10/217,213, or any patent(s) issuing therefrom, are co-owned. This agreement extends to any patent granted on the above-referenced application and shall be binding on its successors or assigns.

Assignee does not disclaim any terminal part of any patent granted on the above-referenced application prior to the earlier of the expiration date of the full statutory term of U.S. Patent Nos. 6,428,520, 6,245,048, and 6,932,795, any patent issuing from U.S. Patent Application No. 10/217,213, and that of any patent issuing on the above-identified application in the event that any one later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims

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canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its full statutory term, except for the separation of legal title stated above.

Right of Assignee and Ownership

In accordance with 37 C.F.R. § 3.73(b), Assignee represents that it is the owner of a 100 percent interest in the above-identified application, co-owned Patent Nos. 6,428,520, 6,245,048, and 6,932,795, and co-owned U.S. Patent Application No. 10/217,213. An assignment from the inventors to Assignee of the inventions in the above-identified application and U.S. Patent No. 6,245,048 and U.S. Patent Application No. 10/217,213 were made and filed with the U.S. Patent and Trademark Office and recorded at Reel No. 9577, Frame No. 0806. An assignment from the inventors to Assignee of the inventions in U.S. Patent Nos. 6,428,520 and 6,932,795 were made and filed with the U.S. Patent and Trademark Office and recorded at Reel No. 8600, Frame No. 0637. The Assignee represents that, to the best of Assignee's knowledge and belief, title is in the Assignee seeking to take action.

Empowerment of Attorney

Pursuant to 37 C.F.R. 1.321(a) the undersigned attorney of record is empowered to act on behalf of the Assignee, by virtue of a Power of Attorney.

This Terminal Disclaimer is accompanied by the \$130 fee set forth in 37 C.F.R. § 1.20(d).

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR LLP

Date: November 13, 2006



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